

[translation]



Korean Intellectual Property Office

NON-FINAL REJECTION AFTER NOTICE OF APPEAL

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Application No.: 10-2003-7006823

Title: A MAT

Applicant is hereby notified pursuant to Article 63 of the Korean Patent Law that this application is rejected on the following grounds. Any comments/arguments along with any amendments that the applicant may wish to submit in response to this rejection must be filed by **21 September 2008**. The due date for filing a response may be extended for a period of one or more months by filing a request for an extension of the time period for reply. Such a request must include an appropriate fee and should be filed by the due date for filing a response. More than one such request may be filed, but the due date for filing a response can only be extended for a maximum period of four months from the initial due date. If it is necessary to extend the time period for reply by more than four months, a reasonable explanation of such a need must be submitted along with the request.

[EXAMINATION RESULTS]

- Examined Claims: Claims 1-12
- Rejected parts and related articles of the Korean Patent Law

| No. | Rejected Parts | Related Articles |
|-----|----------------|--|
| 1 | Claims 1-12 | Article 29, Paragraph 2 of the Korean Patent Law |

[GROUNDS OF REJECTION]

1. The present application is not in condition for allowance according to Article 29, Paragraph 2 of the Korean Patent Law because claims 1-12 would have been obvious to one of ordinary skill in the art in view of the prior art of record before the filing of the present application on the grounds as particularly stated below.

Enclosures: US 5,018,230 (published on May 28, 1991, hereinafter, referred to as "cited reference 1")

KR Utility Model Laid-Open Gazette No. 1989-2089 (published on March 25, 1989, hereinafter, referred to as "cited reference 2")

KR Patent Laid-Open Gazette No. 1998-083256 (published on December 5, 1998, hereinafter, referred to as "cited reference 3")

(1) Claim 1 is directed to a mat for use to place on particulate matter, said mat including: a first layer having an upper surface and a lower surface, said first layer adapted to allow passage of said particulate matter therethrough when said lower surface is in contact with said particulate matter; and at least a second layer having an upper surface and a lower surface, said second layer adapted to allow passage of any of said particulate matter that fall on said upper surface of said second layer to pass therethrough; wherein said second layer is positioned substantially over said first layer to retain therebetween any of said particulate matter that has passed through at least one of said upper surface of said second layer and said lower surface of said first layer. The cited reference 1 discloses in Example 2 a beach blanket comprising an upper layer and a lower layer that have a mesh structure, wherein sand is accumulated between the upper and lower layers, and the sand accumulated between the upper and lower layers is slowly removed.

Comparing claim 1 with the cited reference 1, the feature of claim 1 comprising "a first layer having an upper surface and a lower surface" corresponds to the feature of the cited reference 1 comprising "lower layer," and the feature of claim 1 comprising "a second layer having an upper surface and a lower surface, said second layer passing particulate matter therethrough" corresponds to the feature of the cited reference 1 comprising "upper layer having a mesh structure, passing sand therethrough." In addition, the feature of claim 1 comprising "retaining any of said particulate matter between the first and second layers" corresponds to the feature of the cited reference 1 comprising "sand is accumulated between the upper and lower layers." Although there is a slight difference between claim 1 and the cited reference 1 in that the first layer of claim 1 passes any particulate matter therethrough, whereas the lower layer of the cited reference 1 has a tightly-woven mesh structure, which makes it difficult for sand to pass through to the lower layer, the feature of claim 1 comprising a first layer passing particulate matter therethrough would have been obtained by simple design modification from the upper layer passing sand therethrough disclosed in the cited reference 1 by one of ordinary skill in the art without undue difficulty.

(2) Claim 2 recites a mat as defined in claim 1, wherein there is a single said

second layer. Comparing the claimed feature with the cited reference 1, "a single said second layer" of claim 2 corresponds to the "upper layer" disclosed in FIGS. 3A and 3B of the cited reference 1. Thus, claim 2 would have been obvious over the cited reference 1.

(3) Claim 3 recites a mat as defined in claim 1 which further includes a third layer positioned substantially over said second layer having an upper surface and a lower surface, said third layer adapted to allow passage of any of said particulate matter that may fall on said upper surface of said third layer to pass therethrough. The cited reference 2 discloses a mattress radiating a far infrared ray comprising: a three layer structure including a lower layer, a middle layer, and an upper layer, wherein the three layers are formed of synthetic resin. Comparing the claimed feature with the cited references 1 and 2, "a third layer" of claim 3 corresponds to the "upper layer" of the cited reference 2. Although there is a slight difference between claim 3 and the cited reference 2 in that the third layer of claim 3 passes any particulate matter therethrough, whereas the upper layer of the cited reference 2 is formed of synthetic resin, which makes it difficult for sand to pass through to the lower layer, the feature of claim 3 comprising the third layer passing particulate matter therethrough would have been obtained by simple design modification from the upper layer passing sand therethrough disclosed in the cited reference 1 by one of ordinary skill in the art without undue difficulty.

(4) Claim 4 recites a mat as defined in claim 1, wherein each of said first and said second layer is of a mesh-like configuration. Comparing the claimed feature with the cited reference 1, "the first and second layers" of claim 4 correspond to "the upper and lower layers" of the cited reference 1, and the "mesh-like configuration" of claim 4 corresponds to the "mesh structure of the upper layer, passing sand therethrough" of the cited reference 1. Thus, claim 4 would have been obvious over the cited reference 1.

(5) Claim 5 recites a mat as defined in claim 3; wherein said third layer is of a mesh-like configuration. Comparing the claimed feature with the cited references 1 and 2, "third layer" of claim 5 corresponds to the "upper layer" of the cited reference 2, and the "mesh-like configuration" of claim 5 corresponds to the "mesh structure of the upper layer, passing sand therethrough" of the cited reference 1. Thus, claim 5 would have been obvious over the cited references 1 and 2.

(6) Claim 6 recites a mat as defined in claim 4 or 5, wherein said mesh-like configuration is provided by a flexible material. The cited reference 3 discloses an air cushion for use as a rug, formed using a plastic film formed of polypropylene or polyvinylchloride, or a nylon film. Comparing the claimed feature with the cited references 1, 2 and 3, the "flexible material" of claim 6 corresponds to the "plastic film" of the cited reference 3. Thus, claim 6 would have been obvious over the cited references 1, 2 and 3.

(7) Claim 7 recites a mat as defined in claim 6, wherein said flexible material is a plastic material. Comparing the claimed feature with the cited references 1, 2, and 3, the "plastic material" of claim 7 corresponds to the "plastic film" of the cited reference 3. Thus, claim 7 would have been obvious over the cited references 1, 2 and 3.

(8) Claim 8 recites a mat as defined in claim 1, wherein each of said first and said second layer is manufactured from polypropylene. Comparing the claimed feature with the cited references 1 and 3, the feature of claim 8 comprising "manufactured from polypropylene" corresponds to "a plastic film formed of polypropylenes" of the cited reference 3. Thus, claim 8 would have been obvious over the cited references 1, 2 and 3.

(9) Claim 9 recites a mat as defined in claim 5, wherein said third layer is adapted to accept screen printing on its said upper surface. Comparing the claimed feature with the cited references 1 and 2, "third layer" of claim 9 corresponds to the "upper layer" of the cited reference 2. Although the feature of claim 9 is not disclosed in the cited references 1 and 2, screen printing, which exhibits pictures or characters on a surface of a mat, is a generally used method in the art, and thus would have been obvious to one of ordinary skill in the art. In addition, the detailed description does not describe unexpected effects that can be obtained by using screen printing on the third layer. Thus, claim 9 would have been obvious over the cited references 1 and 2.

(10) Claim 10 recites a mat as defined in claim 9, wherein said third layer is manufactured from nylon. Comparing the claimed feature with the cited references 1, 2 and 3, the feature of claim 10 comprising "said third layer is manufactured from the nylon" corresponds to the feature of the cited reference 3 comprising "formed using a nylon film." Thus, claim 10 would have been obvious over the cited references 1, 2 and 3.

(11) Claim 11 recites a mat as defined in claim 10, wherein said third layer is manufactured from polyvinylchloride-coated nylon. Comparing the claimed feature with the cited references 1, 2 and 3, the feature of claim 11 comprising "said third layer is manufactured from polyvinylchloride-coated nylon" corresponds to the feature of the cited reference 3 comprising "formed using a plastic film formed of polyvinylchloride, or a nylon film." Thus, claim 11 would have been obvious over the cited references 1, 2 and 3.

(12) Claim 12 recites a mat for use to place on particulate matter, said mat including: a first layer having an upper surface and a lower surface, said first layer adapted to allow passage of said particulate matter therethrough when said lower surface is in contact with said particulate matter; and at least a second layer having an upper surface and a lower surface, said second layer adapted to allow passage of any of said particulate matter that may fall on said upper surface of said second layer to pass therethrough; wherein said second layer is positioned substantially over said first layer to retain therebetween any of said particulate matter that has passed through at least one of said upper surface of said second layer and said lower surface of said first layer, wherein said first layer is secured to said second layer at the perimeter of each of said layer; or, a first layer having an upper surface and a lower surface, said first layer adapted to allow passage of said particulate matter therethrough when said lower surface is in contact with said particulate matter; at least a second layer having an upper surface and a lower surface, said second layer adapted to allow passage of any of said particulate matter that may fall on said upper surface of said second layer to pass therethrough; wherein said second layer is positioned substantially over said first layer to retain therebetween any of said particulate matter that has passed through at least one of said upper surface of said second

layer and said lower surface of said first layer; and a third layer positioned substantially over said second layer having an upper surface and a lower surface, said third layer adapted to allow passage of any of said particulate matter that may fall on said upper surface of said third layer to pass therethrough, wherein said first layer is secured to at least of said second layer and said third layer at the perimeter of each layer. Comparing the claimed features with the cited references 1 and 2, "first layer having an upper surface and a lower surface" of claim 12 corresponds to the "lower layer" of the cited reference 1, "second layer having an upper surface and a lower surface" of claim 12 corresponds to the "upper layer" of the cited reference 1, and "a third layer having an upper surface and a lower surface" of claim 12 corresponds to the "upper layer" of the cited reference 2. In addition, the feature of claim 12 comprising "passing particulate matter" corresponds to the feature of the cited reference 1 comprising "passing sand through the mesh structure of the upper layer," and the feature of claim 12 comprising "retaining particulate matter between said first and said second layers" corresponds to the feature of the cited reference 1 comprising "sand is accumulated between the upper and lower layers." Although the feature of claim 12 comprising "said first layer is secured to at least one of said second layer and said third layer at the perimeter of each of said layers" is not disclosed in the cited references 1 and 2, the claimed feature, which is used to bind a mat formed as a multi-layer, is conventionally used in the art, and thus is obvious to one of ordinary skill in the art. In addition, the detailed description does not describe unexpected effects that can be obtained by binding the perimeter of each of said layers. Thus, claim 12 would have been obvious over the cited references 1 and 2.

- Enclosure 1 : A copy of US 5,018,230 (published on May 28, 1991)
- Enclosure 2 : A copy of KR Utility Model Laid-Open Gazette No. 1989-2089
(published on March 25, 1989)
- Enclosure 3 : A copy of KR Patent Laid-Open Gazette No. 1998-83256
(published on December 5, 1998)

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**Machinery, Metals and Construction Examinations Bureau
Construction Technology Examination Division**

Examiner: Wujun CHOI